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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92054050
Party	Plaintiff Univision Communications Inc.
Correspondence Address	JORGE ARCINEGA MCDERMOTT WILL & EMERY LLP 2049 CENTURY PARK EAST, SUITE 3800 LOS ANGELES, CA 90067-3208 UNITED STATES jarciniega@mwe.com, ehourizadeh@mwe.com
Submission	Other Motions/Papers
Filer's Name	Ellie Hourizadeh
Filer's e-mail	ehourizadeh@mwe.com, jarciniega@mwe.com
Signature	/s/
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Attachments	unimundo.pdf(69749 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

UNIVISION COMMUNICATIONS INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	Cancellation Nos. 92054050
	)	
UNIMUNDO CORPORATION	)	
	)	
Registrant.	)	

**OPPOSITION TO UNIMUNDO’S MOTION FOR  
EXTENSION OF TIME TO RETAIN COUNSEL**

**I. INTRODUCTION**

Unimundo’s most recent filing is another attempt by Unimundo to delay these proceedings. In its Motion for Extension of Time to Retain Legal Counsel (“Motion”) Unimundo makes 2 inconsistent arguments. First, Unimundo argues that it been consulting with “experienced trademark litigation counsel” for the past three years in connection with its various filings. Then, Unimundo argues that it should be granted a 60 day extension in order to retain counsel. Unimundo fails to explain why an extension is necessary when admittedly “experienced trademark litigation counsel” has been advising Unimundo in connection with these proceedings.

As stated in the Board’s Order of March 27, 2014, the Board has afforded Unimundo numerous opportunities to comply with the Board’s orders. Unimundo has repeatedly failed to do so. Granting Unimundo’s most recent Motion will only serve to reward Unimundo for its failure to comply with the Board’s orders and will subject Univision and the Board to further

infractions of the Board's orders and procedures. Accordingly, Unimundo's Motion should be denied.

## **II. UNIMUNDO HAS RETAINED COUNSEL SO AN EXTENSION IS NOT NECESSARY**

In the Motion, Unimundo admits that it has 'been in consultation' with trademark litigation counsel but claims that due to counsel's 'busy schedule,' Unimundo has not been able to retain counsel. While Unimundo admits that it has been in consultation with competent litigation counsel of choice, Unimundo carefully avoids stating that it has 'retained' counsel in order to preserve its right to seek an extension. However, a review of the filings by Unimundo shows that despite the alleged 'busy schedule' of Unimundo's counsel, the attorney has had enough time to advise and perhaps ghost write Unimundo's numerous (and meritless) filings.

So far, Unimundo has filed 10 motions. Unimundo's motions (e.g. motions to dismiss, transverse motion, motion for default and motion to strike) contain a recitation of the legal standard for the relief sought. Unimundo's briefs also recite cases and legal jargon that are not commonly known to a lay person and were likely provided (and, arguably, drafted) by an attorney on behalf of Unimundo. When an attorney provides a client with advice and information, an attorney client relationship is established. Thus, whether or not a retainer letter was signed by Unimundo, Unimundo's briefs demonstrate an existing relationship between Unimundo and its counsel of choice (one that Unimundo has identified as 'experienced trademark litigation attorneys'). Accordingly, no extension is warranted.

Unimundo has made every attempt to delay this proceeding. The Motion is simply another attempt to forego the inevitable – a finding that Unimundo's registrations should be cancelled. The Board has extended Unimundo every courtesy thus far. However, enough is

enough. Unimundo must be stopped from prolonging this proceeding by filing duplicative and meritless motions. Unimundo admittedly had the benefit of legal counsel through the course of this proceeding. Accordingly, no extension is warranted and Unimundo's Motion should be denied.

## **V. CONCLUSION**

For the foregoing reasons, Univision Communication Inc. respectfully requests the Board to deny Unimundo's motion for an extension.

Respectfully submitted,

UNIVISION COMMUNICATIONS INC.

Dated: March 27, 2014

By:                     /s/                      
Ellie Hourizadeh  
Attorneys for Petitioner

MCDERMOTT WILL & EMERY LLP  
2049 Century Park East, 38th Floor  
Los Angeles, CA 90067-3208  
Telephone: (310) 551-9321  
Facsimile: (310) 277-4730

**CERTIFICATE OF SERVICE**

I hereby certify that I served a copy of the foregoing OPPOSITION TO UNIMUNDO'S MOTION FOR EXTENSION upon Registrant by depositing one copy in First Class mail, in the United States mail, postage prepaid, on **March 27, 2014** addressed as follows:

**Marcus Fontain  
UNIMUNDO CORP.  
381 Chandler Street, 20032  
Worcester, MA 01602**

By: \_\_\_\_\_/s/\_\_\_\_\_  
Ellie Hourizadeh  
McDermott Will & Emery LLP  
2049 Century Park East, Suite 3800  
Los Angeles, CA 90067  
Tel: (310) 551-9321  
Fax: (310) 277-4730  
Email: ehourizadeh@mwe.com

Attorneys for Petitioner  
Univision Communications Inc.